

Fact Sheet
November 2001

Evergreen Oil, Inc.

6800 Smith Avenue
Newark, California



Class 3 Permit Modification

It is DTSC's mission to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California



California
Environmental
Protection Agency



INTRODUCTION

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has prepared this fact sheet to provide information on a proposed Class 3 Permit Modification for Evergreen Oil Inc. (EOI) an existing used oil recycling facility, located at 6880 Smith Avenue, Newark, California. The original facility permit was issued on October 10, 1985.

EOI operates an existing oil recycling facility in the City of Newark. The facility receives, stores, and re-refines used oil and produces base lube oil. Used oil is also blended with other used oil or process products and shipped off site as fuel oil that meets State specifications. Used oil is classified as hazardous waste in the State of California. This fact sheet summarizes the documents available for public review and comment and describes how you can participate in the DTSC decision-making process.

Public Meeting & Comment Period

Location: Silliman Activity Center
Address: 6800 Mowry Avenue
City/State: Newark, California
Times: 6:00p.m. - 9:00p.m.
Date of event: November 15, 2001

Public Comment Period
October 15, 2001 through
November 30, 2001.

For further information:

Mike Eshaghian
DTSC
1011 North Grandview Avenue,
Glendale, CA 91201
Phone: 818 551-2926
e-mail: Meshaghi@dtsc.ca.gov

FACILITY DESCRIPTION/ BACKGROUND

EOI is located on a 7-acre site zoned MG (General Industrial) within an urbanized area surrounded by industrial sites. The EOI facility was built in 1985 on a previously undeveloped parcel, and has been operating under a State Hazardous Waste Permit issued on October 10, 1985. The facility consists of storage tanks, re-refining processes and administrative offices and laboratory. The facility accepts used oil (California waste #221). The used oil is re-refined into base oil products, asphalt, and distillate fuel products.

Used oil is currently accepted from off-site generators for treatment. Most of the oil is certified as recycled oil, which then may be sold as fuel or which may be further processed at the facility to produce specific grades of finished base lubricating oils. Other by-products of the lube distillate production process include an asphalt flux, which contains heavy distillation fractions, wastewater, and raw gas oil. As stated above, used oil may also be blended with other used oil and/or processed petroleum products to produce marketable fuel, which meets the requirements for recycled oil.

Treatment facilities employed to produce the recycled oil include receiving tanks (where blending of individual loads of used oil occurs), and designated storage tanks where used oil is blended and certified to meet recycled oil specifications.

PROPOSED PERMIT MODIFICATION

This proposed Class 3 permit modification would authorize EOI to:

- 1) Increase the used oil process capacity from 17 to 30 gallons per minute. The total authorized annual throughput for used oil at Newark Facility will not exceed 15,768,000 gallons.
- 2) Receive, consolidate and store antifreeze in an existing 25,000 gallon Tank 501 D for further transportation and recycling. The annual antifreeze capacity is 750,000 gallons.
- 3) Use of the Mohawk Treatment process in the re-refining process. This involves the addition of sodium hydroxide to the used oil to prevent pipe and equipment fouling.
- 4) Receive used oil without regard to the water content of the used oil.

This proposed Class 3 permit modification does not require the construction or installation of new equipment or change of the facility's operating conditions except as indicated in the Class 3 permit modification application.

PERMIT STATUS

EOI has been in operation since 1986. The 1985 Hazardous Waste Facility Permit was issued for a five years term, which expired on October 10, 1990. DTSC, however, allowed EOI to continue to operate under the terms of expired permit since it had submitted renewal application prior to the expiration of the permit. DTSC also granted EOI two variances granting exemption from hazardous waste permit requirements. The first variance issued on August 24, 1988 authorized EOI to accept and treat up to 50,000 gallons per month of waste antifreeze (automotive coolant). The variance was renewed on September 19, 1990, until October 1, 1995. This variance

was not renewed after 1995. The second variance was issued on June 24, 1991 and expired on July 1, 1996. This variance authorized the increase in used oil processing capacity for re-refinery from 17 gallons per minutes to 30 gallons per minutes, which is equivalent to 43,300 gallons/day. DTSC also approved a modification to the permit on April 16, 1997, which authorized EOI to blend different batches of used oil to produce fuels.

The permit renewal application with modifications is currently pending. Revisions to the permit application and a Human Health Risk Assessment must still be completed.

On December 14, 2000 DTSC issued a Temporary Authorization for 180 days to allow EOI to conduct the activities listed in the proposed Class 3 Permit Modification. This Temporary Authorization was extended on June 12, 2000 for an additional 180 days.

ENFORCEMENT HISTORY

In December 2000, a court approved a settlement between the DTSC and EOI to resolve numerous violations alleged by DTSC against EOI. Some of the alleged violations include: unlawful storage, treatment, and disposal of hazardous waste; failure to conduct testing of recycled oil; failure to certify recycled oil shipments; failure to follow the Waste Analysis Plans, and; various paperwork violations. One condition of the settlement requires that EOI cease burning hazardous waste at its Newark Facility.

COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

On December 15, 2000, DTSC filed a Notice of Determination with the State Clearinghouse that documented the use of the City of Newark's Mitigated Negative Declaration in assessing potential impacts associated with the Temporary Authorization approved by DTSC in December 2000. The terms and conditions of this Temporary Authorization would be formalized into this Class 3 Permit Modification. The environmental assessment conducted for the Temporary Authorization was used by DTSC as the basis for meeting its obligations under CEQA for this Class 3 Permit Modification. Based on this assessment, DTSC concludes that impacts associated with this project would be less than significant.

The public is invited to comment on the proposed Class 3 Permit Modification during the 45-day public comment period, which starts October 16, 2001 and ends November 30, 2001. At the close of the comment period, DTSC will make a final determination after considering all comments. All those who comment will be notified of the decision and their comments will be responded to.

Written comments must be postmarked by November 30, 2001. Mail comments and requests to:

Mike Eshaghian
California Environmental Protection Agency
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, CA 91201
Phone: 818 551-2926

A question and answer session will be held Thursday, November 15, 2001 at 6:00 p.m. followed by a Public Hearing at 7:00 p.m. The location is:

Silliman Activity Center
6800 Mowry Avenue
Newark, CA 94560

At the public hearing DTSC representatives will explain the proposed permit modification and the CEQA determination. After the presentation by DTSC representatives, anyone present at the hearing will be allowed to comment on the project. A court reporter will be available to record all comments made.

Anuncio

Si prefiere hablar con alguien en español acerca de ésta información, favor de llamar a Jesus Cruz, Departamento de Control de Sustancias Tóxicas. El número de teléfono es (510) 540-3933.

For More Information

If you would like more information about the Site, please call Project Manager, Mike Eshaghian at (818) 551-2926 or DTSC Public Participation Specialist Patricia Ryan, at (510) 540-3920. Please refer media inquiries to Angela Blanchette, Public Information Officer (510) 540-3732.

Information Repositories

The full administrative record for this project is available for review in the DTSC Glendale office file room at the address listed below. Please call (818) 551-2886 for an appointment. The proposed Class 3 Permit Modification, the proposed CEQA Notice of Determination, the City of Newark's 1997 Final Negative Declaration and supporting information are also available for review at:

Newark Library
6300 Civic Terrace Avenue
Newark, California

DTSC File Room
1011 North Grandview Avenue
Glendale, CA 91201

Notice to Hearing Impaired Individuals

TDD users can obtain additional information about the Site by using the California State Relay Service (1-888-877-5378) to reach PPS Jesus Cruz at (510) 540-3933.

Mike Eshaghian
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, CA 91201